



OFFICE OF THE DISTRICT ATTORNEY, Bronx County

ROBERT T. JOHNSON
District Attorney

198 East 161st Street
Bronx, New York 10451

(718) 590-2156
Fax 590-6523

August 14, 2008

RE: Alexander Faison v. Harold McKinney
07 Civ. 8561

Honorable John G. Koeltl
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1030
New York, New York 10007-1312

USDS SDNY
DOCUMENT
ELCTRONICALLY FILED
DOC #: _____
DATE FILED: <u>08/08/08</u>

Dear Judge Koeltl:

Our Office represents the respondent in the above-entitled proceeding. Pursuant to your Order dated June 25, 2008, our response to petitioner's writ of habeas corpus is currently due on August 28, 2008. Our Office did not receive your Order until July 2, 2008, since it was originally mailed to the Attorney General's Office. Due to my workload, I respectfully request a sixty-day extension until October 28, 2008.

I have been assigned to respond to two state appellate briefs in the Appellate Division, First Department (People v. Rasuk, Ind. No. 37791/2005 and People v. M. Williams, Ind. No. 4354/2004, respectively). The above-referenced defendants are currently incarcerated, and their briefs constitute their first direct challenge to their judgments of conviction. In addition, I have been assigned to respond to a post-conviction motion which is due on August 21, 2008, (People v. R. Williams, Ind. 3663/2002), and have a felony case scheduled for hearings and trial on September 19, 2008 (People v. Thomas, Ind. 2271/2007)

This first request for an extension to October 29, 2008, is made in good faith, based upon my approximation of the time required to prepare an adequate response. I have not obtained consent from my incarcerated pro se adversary. Thank you for consideration in this matter.

APPLICATION GRANTED
SO ORDERED

8/19/08 JGK
John G. Koeltl, U.S.D.J.

cc: Alexander Faison

DIN # 02-A-6146
Livingston Correctional Facility
Route 36, SONYEA Road
SONYEA, New York 14556-0049

Respectfully,

Alexis Pimentel
Assistant District Attorney